

PTO/SB/30 (8/2000)

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of a utility or plant application  
filed on or after June 8, 1995,  
See the American Inventors Protection Act of 1999 (AIPA).

Application Number	09/836,627
Filing Date	04/17/2001
First Named Inventor	Robert A. Scott et al.
Group Art Unit	1615
Examiner Name	Liliana Di Nola-Baron
Attorney Docket Number	6514-11-BHJ

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.63 (d) (PTO/SB/28) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50892 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14885 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE Practice.

## 1. Submission required under 37 C.F.R. § 1.114.

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on JUN 04 2004
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 23-0455
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

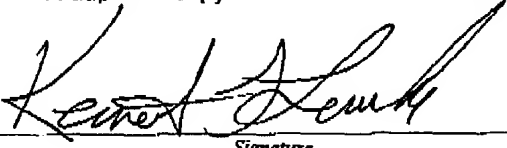
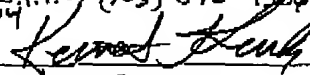
Name (Print / Type)	Kenneth G. Lemke	Registration No. (Attorney / Agent)	47,146
Signature	<i>Kenneth G. Lemke</i>	Date	June 4, 2004

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: via facsimile to the U.S. P.T.O. (703) 872-9306

Name (Print / Type)	Kenneth G. Lemke
Signature	<i>Kenneth G. Lemke</i>
Date	June 4, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b> <b>(Large Entity)</b>			Docket No. <b>6514-11-BHJ</b>
In Re Application Of: <b>Robert A. Scott et al.</b>			
Serial No. <b>09/836,627</b>	Filing Date <b>04/17/2001</b>	Examiner <b>Liliana Di Nola-Baron</b>	Group Art Unit <b>1615</b>
Invention: <b>ENTERIC AND COLONIC DELIVERY USING HPMC CAPSULES</b>			
<b><u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u></b>			
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of _____ above-identified application. <div style="text-align: center;"><small>Date</small></div>			
The requested extension is as follows (check time period desired):			
<div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> One month</div><div><input type="checkbox"/> Two months</div><div><input checked="" type="checkbox"/> Three months</div><div><input type="checkbox"/> Four months</div><div><input type="checkbox"/> Five months</div></div>			
from: <u>March 6, 2004</u> until: <u>June 6, 2004</u> <div style="display: flex; justify-content: space-between;"><div><small>Date</small></div><div><small>Date</small></div></div>			
The fee for the extension of time is <b>\$930</b> and is to be paid as follows:			
<div style="display: flex; flex-direction: column;"><div><input type="checkbox"/> A check in the amount of the fee is enclosed.</div><div><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 23-0455 A duplicate copy of this sheet is enclosed.</div><div><input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 23-0455 A duplicate copy of this sheet is enclosed.</div></div>			
 <small>Signature</small>		Dated: <u>June 4, 2004</u>	
cc:		<div style="font-size: small;">I certify that this document and fee is being deposited on via facsimile with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 to the U.S.P.T.O. (703) 872-9306 on June 4, 2004</div> <div style="text-align: center;"> <small>Signature of Person Mailing Correspondence</small></div> <div style="text-align: center;"><b>Kenneth G. Lemke</b> <small>Typed or Printed Name of Person Mailing Correspondence</small></div>	

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